

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

Case No. 17 BK 3283-LTS

as representative of

(Jointly Administered)

THE COMMONWEALTH OF PUERTO RICO, *et al.*

RE: ECF No. 9194

Debtors.¹

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

Case No. 17 BK 4780-LTS

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

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**CERTIFICATE OF NO OBJECTION REGARDING
PREPA'S MOTION FOR ENTRY OF ORDER PURSUANT
TO RULE 9006(B) OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE FURTHER ENLARGING THE TIME WITHIN WHICH
TO FILE NOTICES OF REMOVAL PURSUANT TO BANKRUPTCY RULE 9027**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

On November 15, 2019, Puerto Rico Electric Power Authority (“PREPA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as PREPA’s representative pursuant to section 315(b) of the Puerto Rico Oversight, Management, and Economic Stability Act (“PROMESA”),² filed *PREPA’s Motion for Entry of Order Pursuant to Rule 9006(b) of the Federal Rules of Bankruptcy Procedure Further Enlarging the Time Within Which to File Notices of Removal Pursuant to Bankruptcy Rule 9027* [Case No. 17-3283-LTS, ECF No. 9194] (the “Motion”).

Objections to the Motion were to be filed and served no later than November 26, 2019 at 4:00 p.m. (AST) (the “Objection Deadline”). According to the *Tenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 8027-1] (the “Case Management Procedures”), the Court may enter an order granting a request for relief without a hearing upon receipt of a certificate of no objection (“CNO”, as defined in the Case Management Procedures). *See* Case Management Procedures, Section III, paragraph P. As required by the Case Management Procedures, the notice filed with the Motion included a statement that the Motion may be granted and an order entered without a hearing unless a timely objection is made.

In accordance with the Case Management Procedures, the undersigned hereby states that he is filing this CNO not less than forty-eight (48) hours after the expiration of the Objection Deadline. The undersigned further certifies that he is unaware of any objection, responsive pleading, or request for a hearing with respect to the Motion. The undersigned has also reviewed the Court’s docket in this case not less than forty-eight (48) hours after the Objection Deadline and

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

no applicable objection, responsive pleading, or request for a hearing with respect to the Motion appears on the docket.

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WHEREFORE Proskauer respectfully requests that the Court enter the proposed order attached hereto as **Exhibit A** at the Court's earliest convenience.

Dated: December 2, 2019
San Juan, Puerto Rico

Respectfully submitted,

/s/ Ehud Barak

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*Co-Attorneys for the Financial Oversight and
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Debtor*

Exhibit A

Proposed Order

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

Case No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO, *et al.*

(Jointly Administered)

Debtors.¹

-----X
In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

Case No. 17 BK 4780-LTS

PUERTO RICO ELECTRIC POWER AUTHORITY,

RE: ECF No. 1743

Debtor.

**This Order relates only
to PREPA.**

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**ORDER PURSUANT TO RULE 9006(b) OF THE FEDERAL
RULES OF BANKRUPTCY PROCEDURE FURTHER
ENLARGING THE TIME WITHIN WHICH PREPA MAY FILE
NOTICES OF REMOVAL PURSUANT TO BANKRUPTCY RULE 9027**

¹ The Debtors in the jointly-administered Title III cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (iv) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon PREPA's Motion for Entry of Order Pursuant to Rule 9006(b) of the Federal Rules of Bankruptcy Procedure Further Enlarging the Time Within Which to File Notices of Removal Pursuant to Bankruptcy Rule 9027 (the "Motion");² and the Court having found it has subject matter jurisdiction over this matter pursuant to section 306(a) of PROMESA; and it appearing that venue in this district is proper pursuant to section 307(a) of PROMESA; and the Court having found that the relief requested in the Motion is in the best interests of PREPA, its creditors, and other parties in interest; and the Court having found that PREPA provided adequate and appropriate notice of the Motion under the circumstances and that no other or further notice is required; and the Court having reviewed the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The deadline for PREPA to file notices of removal under Bankruptcy Rule 9027(a) is extended through and including the later of: (i) May 26, 2020, or (ii) any later date prescribed by Bankruptcy Rule 9027(a)(2) and (a)(3).
3. The foregoing is without prejudice to PREPA's right to seek further extensions of the time within which to remove related proceedings.
4. Notwithstanding any applicability of any Bankruptcy Rule, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

² Capitalized terms not otherwise defined herein shall have the meanings given to them in the Motion.

5. The Oversight Board, as PREPA's representative, is authorized to take all actions, and to execute all documents, necessary or appropriate, to effectuate the relief granted in this Order in accordance with the Motion.

6. The Court retains exclusive jurisdiction to hear and determine any and all disputes related to or arising from the implementation, interpretation and enforcement of this Order.

7. This Order resolves Docket Entry No. 1743 in Case No. 17-4780 and Docket Entry No. 9194 in Case No. 18-3283.

Dated: December ____, 2019

Honorable Laura Taylor Swain
United States District Judge